



ELX-5795L-6 (BXTD 9006.3)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Jerry S. Powell
Serial No. 09/975,063
Filed October 10, 2001
Confirmation No. 2666

Art Unit 1631

For METHOD OF MAKING GLYCOPROTEIN EXHIBITING ERYTHROPOIESIS
REGULATING ACTIVITY AND GLYCOPROTEIN PRODUCED BY THIS
METHOD

Examiner: James Martinell

March 29, 2004

**NOTIFICATION OF CHANGE IN STATUS RESULTING IN
LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

TO THE COMMISSIONER OF PATENTS,
SIR:

Please change your records to reflect that the above-referenced patent application no longer qualifies as a small entity. Accordingly, the issue fee submitted herewith is being paid as a large entity.

Respectfully submitted,

Kathleen M. Petrillo, Reg. No. 35,076
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KMP/axs



ELX-5795L-6 (BXTD 9006.3)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Jerry S. Powell

Art Unit 1631

Serial No. 09/975,063

Filed October 10, 2001

Confirmation No. 2666

For METHOD OF MAKING GLYCOPROTEIN EXHIBITING ERYTHROPOIESIS
REGULATING ACTIVITY AND GLYCOPROTEIN PRODUCED BY THIS METHOD

Examiner: James Martinell

March 29, 2004

REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT
PURSUANT TO 37 CFR 1.705

TO THE ASSISTANT COMMISSIONER OF PATENTS,
SIR:

Applicants respectfully request reconsideration of the patent term adjustment determination of 140 days in the Notice of Allowance dated December 29, 2003. Pursuant to 37 CFR § 1.705(b), applicant submits the following statement of effects in support of their request for reconsideration.

Applicants submit that the present application is subject to a terminal disclaimer, and is therefore not entitled to the benefits of the patent term adjustment according to 35 U.S.C. § 154. Hence, there should be no patent term adjustment in this application.

In light of the foregoing facts, Applicants respectfully request a correction in the patent term adjustment determination. The Commissioner is hereby authorized to charge the \$200 fee and any additional fees which may be required to Deposit Account No. 19-1345. However, in view of the fact that the Office made a mistake in calculating the correct patent term adjustment, Applicants respectfully request that the fee in connection with this request be waived.

Respectfully submitted,

Kathleen M. Petrillo, Reg. No. 35,076
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KMP/axs
Mail Stop Issue Fee